Case 2:08-cv-00226-J-BB Document 19 Filed 05/07/09 _Page 1 of 1 TRICT COURT NORTHERN DISTRICT OF TEXAS IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS AMARILLO DIVISION MAY _ 7 2009 CLERK, U.S. DISTRICT COURT CHARLES R. WILEY, Petitioner, 2:08-CV-0226 v. NATHANIEL QUARTERMAN, Director, Texas Department of Criminal Justice, Correctional Institutions Division, Respondent.

ORDER ADOPTING REPORT AND RECOMMENDATION and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS

Petitioner has filed with this Court a petition for a federal writ of habeas corpus. On April 21, 2009, the United States Magistrate Judge entered a Report and Recommendation in this cause, recommending therein that the instant habeas application be dismissed for failure to pay the requisite filing fee or, alternatively, for want of prosecution. As of this date, no objections to the Magistrate Judge's Report and Recommendation have been filed of record, nor has the filing fee been paid in this cause.

Having made an independent examination of the record in this case, the undersigned United States District Judge is of the opinion the Magistrate Judge's Report and Recommendation should be, and hereby is, ADOPTED. Accordingly, the petition for a writ of habeas corpus is hereby DISMISSED for failure to pay the filing fee or, alternatively, for want of prosecution.

MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE